

BEFORE THE JUDICIAL PANEL  
ON MULTIDISTRICT LITIGATION

In re: KIA HYUNDAI VEHICLE DEFECT ) MDL Docket No. \_\_\_\_\_  
LITIGATION )  
)

**MOTION FOR TRANSFER AND CONSOLIDATION OF RELATED ACTIONS IN THE  
NORTHERN DISTRICT OF OHIO UNDER 28 U.S.C. § 1407**

Plaintiffs Jo Taylor Slovak, Daniel Newman, and Erin Davies, hereafter, *the Northern District of Ohio Plaintiffs*, respectfully move the Judicial Panel on Multidistrict Litigation for an Order, pursuant to 28 U.S.C. § 1407, that (i) transfers the putative class actions listed in the Schedule of Actions attached as Exhibit A hereto (the “Related Actions”), and any other tag-along actions asserting similar or related claims against Kia Corporation, Hyundai Motor Co., Kia America, Inc. (“Kia”) and/or Hyundai Motor America (“Hyundai”) involving allegations that Kia and Hyundai vehicles failed to include immobilizer technology to prevent theft that may subsequently be filed in or removed to the federal courts; and (ii) consolidating the Related Actions with the *Northern District of Ohio* Action for pretrial discovery and class certification purposes before Judge James G. Carr in the Northern District of Ohio. In support of their Motion for Transfer and Consolidation, *Northern District of Ohio Plaintiffs* state as follows:

1. The class actions for which transfer and consolidation are proposed arise out of the same conduct and assert similar claims. Each action is brought by purchasers and/or lessees of defective automobiles (the “Defective Vehicles”). The defective class is defined by reports of thefts from each platform cycle of Hyundai or Kia as defined below:
  - a. 3<sup>rd</sup> Generation Kia Sportage model years 2011-2016
  - b. 4<sup>th</sup> Generation Kia Sportage model years 2017-2022

- c. 1<sup>st</sup> Generation Kia Soul model years 2010-2013
- d. 2<sup>nd</sup> Generation Kia Soul model years 2014-2019
- e. 3<sup>rd</sup> Generation Kia Soul model years 2019-present
- f. 2<sup>nd</sup> Generation Kia Forte model years 2014-2018
- g. 3<sup>rd</sup> Generation Kia Forte model years 2019-present
- h. 3<sup>rd</sup> Generation Kia Optima model years 2011-2015
- i. 4<sup>th</sup> Generation Kia Optima model years 2016-2020
- j. 3<sup>rd</sup> Generation Kia Rio model years 2012-2017
- k. 4<sup>th</sup> Generation Kia Rio model years 2018-present
- l. 3<sup>rd</sup> Generation Kia Sedona model years 2015-2021
- m. 2<sup>nd</sup> Generation Kia Sorento model years 2011-2015
- n. 3<sup>rd</sup> Generation Kia Sorento model years 2016-2020
- o. 4<sup>th</sup> Generation Kia Sorento model years 2021-present
- p. 1<sup>st</sup> Generation Kia Telluride model years 2020-present
- q. 5<sup>th</sup> Generation Hyundai Elantra model years 2011-2016
- r. 6<sup>th</sup> Generation Hyundai Elantra model years 2016-2020
- s. 7<sup>th</sup> Generation Hyundai Elantra model years 2021-present
- t. 5<sup>th</sup> Generation Hyundai Sonata model years 2011-2016
- u. 6<sup>th</sup> Generation Hyundai Sonata model years 2017-2020
- v. 4<sup>th</sup> Generation Hyundai Accent model years 2012-2017
- w. 5<sup>th</sup> Generation Hyundai Accent model years 2018-2022
- x. 3<sup>rd</sup> Generation Hyundai Santa Fe model years 2013-2018
- y. 4<sup>th</sup> Generation Santa Fe model years 2019-present
- z. 2<sup>nd</sup> Generation Hyundai Tucson model years 2010-2015

- aa. 3<sup>rd</sup> Generation Hyundai Tucson model years 2016-2021
- bb. 4<sup>th</sup> Generation Hyundai Tucson model years 2022-present

*Northern District of Ohio Plaintiffs* propose that the cases listed in the Schedule of Actions attached as Exhibit A be transferred to the Northern District of Ohio and consolidated with the *Northern District of Ohio* action, which is currently pending before Judge James G. Carr.

2. The centralization of these actions in a single judicial district for consolidated pretrial proceedings will promote the just and efficient conduct of these actions, will serve the convenience of all parties and witnesses, and will promote the interest of justice because all actions involve common factual and legal issues, including, but not limited to:

- a. Whether Defendants manufactured and designed the Defective Vehicles without engine immobilizers;
- b. Whether the failure of the vehicles to have engine immobilizers installed makes them easy to steal, unsafe, and worth less than they would be if they had engine immobilizers;
- c. Whether the absence of an engine immobilizer is a material fact in the purchasing of a vehicle;
- d. Whether, in marketing and selling the Defective Vehicles, Defendants failed to disclose the lack of engine immobilizers;
- e. Whether Defendants failed to disclose and/or concealed the material fact that the Defective Vehicles, among other things, did not have engine immobilizers;
- f. Whether Defendants failed to warn adequately of the dangers of vehicles that do not contain engine immobilizers;
- g. Whether Defendants knew or should have known that the Defective Vehicles did not have engine immobilizers;

- h. Whether Defendants knew or should have known that the failure of the vehicles to have engine immobilizers makes them easy to steal, unsafe, and worth less than they would be if they had engine immobilizers;
  - i. Whether Defendants continued to manufacture, market, distribute, and sell the Defective Vehicles notwithstanding its knowledge of the defects' dangerous nature and risks of harm;
  - j. Whether Defendants knowingly omitted, suppressed or concealed material facts about the unsafe and defective nature of the Defective Vehicles from the consuming public;
  - k. Whether Defendants' conduct violated the state consumer law;
  - l. Whether Defendants' conduct violated the Magnuson Moss Warranty Act.
3. Consolidation of these actions before a single judge will preserve judicial resources, reduce litigation costs, prevent potentially inconsistent pretrial rulings, eliminate duplicative discovery and permit the cases to proceed to trial more efficiently.
4. The central defendants in the *Northern District of Ohio* complaint are the manufacturers' headquartered in Korea: Kia Corporation, and Hyundai Motor Co., and there is no benefit to these defendants to consolidate the case in California.
5. *The Northern District of Ohio Plaintiffs* have created a private Facebook group which has gone viral, and which has members from across the nation. Counsel for the *Northern District of Ohio* has personally done a detailed intake for two thousand nine-hundred and thirty-five (2,935) plaintiffs nationwide in the past month and a half.
6. Multiple factors considered by the Panel in choosing a transferee forum weigh strongly in favor of the Northern District of Ohio.

7. Plaintiffs' Motion is based on the accompanying Memorandum of Law and Fact, the filed pleadings and papers, and other material that may be presented to the Panel before or at the time of any hearing in this matter.

WHEREFORE, *Northern District of Ohio Plaintiffs* respectfully request that the Panel order the cases listed in the Schedule of Actions attached as Exhibit A, as well as any cases that may be subsequently filed asserting related or similar claims, be transferred to the Northern District of Ohio and consolidated and coordinated with the *Northern District of Ohio* class action for all pretrial proceedings.

Dated: August 31, 2022

Respectfully Submitted,

/s/ Melissa Payne

Melissa Payne (Ohio Bar No. 0098027)

Payne Law LLC

26600 Detroit Road, Suite 250

Westlake, Ohio 44145

(757) 768-9029 (Phone)

(216) 294-4839 (Fax)

Melissa@VincentEsq.com

Laurence Harrington (*Pro Hoc Vice Pending*)

The Harrington Firm

*Of Counsel* Payne Law LLC

www.theharringtonfirm.com

(484) 469-0468

BEFORE THE JUDICIAL PANEL  
ON MULTIDISTRICT LITIGATION

In re: KIA HYUNDAI VEHICLE DEFECT ) MDL Docket No. \_\_\_\_\_  
LITIGATION )  
)

***NORTHERN DISTRICT OF OHIO* PLAINTIFFS’ MEMORANDUM OF LAW AND FACT  
IN SUPPORT OF MOTION FOR TRANSFER AND CONSOLIDATION OF RELATED  
ACTIONS IN THE NORTHERN DISTRICT OF OHIO, UNDER 28 U.S.C. § 1407**

Plaintiffs Jo Taylor Slovak, Daniel Newman, and Erin Davies, hereafter, *the Northern District of Ohio Plaintiffs*, respectfully submit this Memorandum of Law and Fact in Support of their motion for transfer and consolidation of related actions in the Northern District of Ohio, under 28 U.S.C. § 1407.

**INTRODUCTION**

Pursuant to 28 U.S.C. § 1407, *McNerney* Plaintiffs seek an Order (i) transferring to the Northern District of Ohio the cases listed in the Schedule of Actions attached as Exhibit A hereto (the “Related Actions”), and any other tag-along actions asserting similar or related claims against Kia America, Inc. (“Kia”) and/or Hyundai Motor America (“Hyundai”) involving allegations that Kia and Hyundai vehicles failed to include immobilizer technology to prevent theft that may subsequently be filed in or removed to the federal courts; and (ii) consolidating the Related Actions with the *Northern District of Ohio* Action for pretrial discovery and class certification purposes. Transfer and consolidation in the Central District of California is necessary under Section 1407 to promote efficient management of the litigation because:

## STATEMENT OF FACTS

The *Northern District of Ohio Plaintiffs* filed a complaint against Kia America Inc. and Hyundai Motor America on August 11, 2022. Upon discovering Kia and Hyundai's corporate filings with the Republic of Korea, *the Northern District of Ohio Plaintiffs* filed an amended complaint. The amended complaint was filed on August 31, 2022. Plaintiffs learned that Kia America Inc. is a distributor for Kia Corporation, and that Kia America Inc. is the entity that provides express warranties. Plaintiffs also learned that Hyundai Motor America is a distributor for Hyundai Motor Co., and that Hyundai Motor Co. is the manufacturer who makes decisions about the design of the vehicle including whether to include an immobilizer in the vehicle.

## ARGUMENT

The principal goals of 28 U.S.C. § 1407 are to avoid duplicative discovery, prevent inconsistent or repetitive rulings, promote efficient management of litigation, and conserve the resources of the parties, counsel, and the courts. *See* MANUAL ON COMPLEX LITIGATION § 22.33 at 367 (4th ed. 2004). These goals are best served by transferring the Related Actions for coordinated pretrial proceedings. 28 U.S.C. § 1407 authorizes this Panel to transfer and consolidate two or more civil cases for coordinated pretrial proceedings upon the determination that (i) they “involv[e] one or more common questions of fact,” (ii) transfer will further “the convenience of parties and witnesses,” and (iii) transfer “will promote the just and efficient conduct of such actions.” 28 U.S.C. § 1407(a). Here, Section 1407's requirements for transfer are satisfied. The above-referenced class actions against Kia and Hyundai are based on the same or substantially similar questions of law and fact. In addition, transfer will promote the convenience of the parties and efficiency in the pretrial proceedings by eliminating duplicative discovery and the potential for inconsistent rulings, including determinations on class certification. Indeed, because all of the actions assert complex, yet virtually identical claims and allegations requiring substantial discovery into highly technical aspects of Kia

and Hyundai's manufacturing, testing, and sales procedures, they are ideal candidates for transfer for coordinated or consolidated pretrial proceedings.

The *Northern District of Ohio* action is the only action against Kia Corporation and Hyundai Motor Corporation who are the custodians of the documents regarding the alleged design defect of a lack of immobilizer. The remaining class actions only brought actions against the American distributors: Kia America Inc. and Hyundai Motor America. These entities do not make decisions about whether to include an immobilizer and would not have the documents regarding the design of the vehicles. Kia America Inc. and Hyundai Motor Co. would not have the knowledge as to why Kia and Hyundai's designs stopped including immobilizers in certain models. The discovery needed in this litigation hinges on collecting documents from Kia Corporation and Hyundai Motor Co. The only jurisdiction with an action pending against the defective cars' manufacturers is the Northern District of Ohio.

## **CONCLUSION**

For the reasons stated above, Plaintiffs respectfully request that this Panel transfer the Related Actions listed in the Schedule of Actions attached as Exhibit A and any subsequently filed cases raising similar claims to the Northern District of Ohio for coordinated pretrial proceedings before the Honorable James G. Carr.

Dated: August 31, 2022

Respectfully Submitted,

/s/ Melissa Payne

Melissa Payne (Ohio Bar No. 0098027)  
Payne Law LLC  
26600 Detroit Road, Suite 250  
Westlake, Ohio 44145  
(757) 768-9029 (Phone)  
(216) 294-4839 (Fax)  
Melissa@VincentEsq.com



Laurence Harrington (*Pro Hoc Vice Pending*)  
The Harrington Firm  
*Of Counsel* Payne Law LLC  
[www.theharringtonfirm.com](http://www.theharringtonfirm.com)  
(484) 469-0468

BEFORE THE JUDICIAL PANEL  
ON MULTIDISTRICT LITIGATION

In re: KIA HYUNDAI VEHICLE DEFECT )  
LITIGATION )  
\_\_\_\_\_ )

MDL Docket No. \_\_\_\_\_

**SCHEDULE OF ACTIONS**

<b>Case Captions</b>	<b>Court</b>	<b>Civil Action No.</b>	<b>Judge</b>
<b>Plaintiffs:</b> Cynthia Yeghiaian, Jeff Plaza  <b>Defendants:</b> Kia America, Inc., Hyundai Motor America, Hyundai Kia America Technical Center, Inc.	C.D. California	8:22-cv-01440	Hon. David O. Carter
<b>Plaintiffs:</b> Katelyn McNerney, Sherry Mason, Camri Nelson, Cameron Cunningham, Allison Brown  <b>Defendants:</b> Kia America, Inc., Hyundai Motor America	C.D. California	8:22-cv-01548	Hon. Cormac J. Carney
<b>Plaintiffs:</b> Heather Jones  <b>Defendants:</b> Kia America, Inc., Hyundai Motor America, Hyundai Kia America Technical Center, Inc.	District of Colorado	1:22-cv-02123	Hon. Nina Y. Wang
<b>Plaintiffs:</b> Joanna K. Pue, Shannon Kozmic	M.D. Florida	6:22-cv-01440	Hon. Paul G. Byron

Case Captions	Court	Civil Action No.	Judge
<b>Defendants:</b> Kia America, Inc., Hyundai Motor America, Hyundai Kia America Technical Center, Inc.			
<b>Plaintiffs:</b> Erica Loburgio, Anthony Loburgio, Michael Flannagan  <b>Defendants:</b> Kia America, Inc., Hyundai Motor America, Hyundai Kia America Technical Center, Inc.	N.D. Illinois	1:22-cv-04071	Hon. John J. Tharp, Jr.
<b>Plaintiffs:</b> Ann Brady, Leah Price  <b>Defendants:</b> Kia America, Inc., Hyundai Motor America, Hyundai Kia America Technical Center, Inc.	S.D. Iowa	4:22-cv-00252	Hon. Stephanie M. Rose
<b>Plaintiffs:</b> Charles W. Simmons, Dale Denney, Charles Cole  <b>Defendants:</b> Kia America, Inc., Hyundai Motor America, Hyundai Kia America Technical Center, Inc.	District of Kansas	2:22-cv-02288	Hon. Holly L. Teeter
<b>Plaintiffs:</b> Rita Day  <b>Defendants:</b>	E.D. Kentucky	5:22-cv-00202	Hon. Karen K. Caldwell

Case Captions	Court	Civil Action No.	Judge
Kia America, Inc., Hyundai Motor America, Hyundai Kia America Technical Center, Inc.			
<b>Plaintiffs:</b> Brian Bendorf, Sara Bendorf  <b>Defendants:</b> Kia America, Inc., Hyundai Motor America, Hyundai Kia America Technical Center, Inc.	W.D. Missouri	4:22-cv-00465	Hon. Roseann Ketchmark
<b>Plaintiffs:</b> Cobi Bissell  <b>Defendants:</b> Kia America, Inc., Hyundai Motor America	W.D. Missouri	4:22-cv-00548	Hon. Brian C. Wimes
<b>Plaintiffs:</b> Amber Hall  <b>Defendants:</b> Kia America, Inc., Hyundai Motor America, Hyundai Kia America Technical Center, Inc.	District of Nebraska	4:22-cv-03155	Hon. John M. Gerrard
<b>Plaintiffs:</b> Stacie Moon  <b>Defendants:</b> Kia America, Inc., Hyundai Motor America, Hyundai Kia America Technical Center, Inc.	S.D. New York	1:22-cv-7433	Hon. J. Paul Oetken
<b>Plaintiffs:</b> Jo Taylor Slovak, Daniel Newman, Erin Davies	N.D. Ohio	3:22-cv-01432	Hon. James G. Carr

Case Captions	Court	Civil Action No.	Judge
<b>Defendants:</b> Kia Corporation, Hyundai Motor Inc. Kia America, Inc., Hyundai Motor America,			
<b>Plaintiffs:</b> Miriam Fruhling, Roger Mason, Jade Burke  <b>Defendants:</b> Kia America, Inc., Hyundai Motor America, Hyundai Kia America Technical Center, Inc.	S.D. Ohio	1:22-cv-451	Hon. Douglas R. Cole
<b>Plaintiffs:</b> Jon Bodie, Albert Lui  <b>Defendants:</b> Kia America, Inc., Hyundai Motor America, Hyundai Kia America Technical Center, Inc.	S.D. Texas	4:22-cv-02603	Hon. David Hittner
<b>Plaintiffs:</b> Stephanie Marvin, Katherine Wargin, Chaid Przybelski, Chad Just, Amy Flasch, Lydia Davis <b>Defendants:</b> Kia America, Inc., Hyundai Motor America, Hyundai Kia America Technical Center, Inc.	E.D. Wisconsin	2:21-cv-01146	Hon. Pamela Pepper

BEFORE THE JUDICIAL PANEL  
ON MULTIDISTRICT LITIGATION

In Re: KIA HYUNDAI VEHICLE DEFECT ) MDL Docket No.  
LITIGATION )  
\_\_\_\_\_ )

I hereby certify that a copy of the foregoing Motion to Transfer, Brief, Schedule of  
Actions and this Proof of Service was served by U.S. Mail or email as indicated on August 31,  
2022, to the following:

**Clerk, Central District of California (Via U.S. Mail)**

Ronald Reagan Federal Building & U.S. Courthouse  
411 West 4th Street, Room 1053  
Santa Ana, CA 92701-4516

**Clerk, District of Colorado (Via U.S. Mail)**

Alfred A. Arraj Courthouse  
901 19th Street  
Denver, CO 80294

**Clerk, Middle District of Florida (Via U.S. Mail)**

George C. Young Federal Annex Courthouse  
401 West Central Blvd.  
Orlando, FL 32801

**Clerk, Southern District of Iowa (Via U.S. Mail)**

U.S. District Courthouse  
123 East Walnut Street, Ste. 300  
Des Moines, IA 50309

**Clerk, Northern District of Illinois (Via U.S. Mail)**

Dirksen U.S. Courthouse  
219 S. Dearborn Stret  
Chicago, IL 60604

**Clerk, District of Kansas (Via U.S. Mail)**

Robert J. Dole Courthouse  
500 State Avenue, M35  
Kansas City, KS 66101

**Clerk, Eastern District of Kentucky (Via U.S. Mail)**  
U.S. District Court Eastern District of Kentucky  
101 Barr Street  
Lexington, KY 40507

**Clerk, Western District of Missouri (Via U.S. Mail)**  
Charles Evans Whittaker U.S. Courthouse  
400 E. 9th Street  
Kansas City, MO  
64106

**Clerk, District of Nebraska (Via U.S. Mail)**  
Robert V. Denney Federal Building  
100 Centennial Mall North, Room 593  
Lincoln, NE 68508

**Clerk, Southern District of New York (Via U.S. Mail)**  
Thurgood Marshall United States Courthouse  
40 Foley Square  
New York, NY 10007

**Clerk, Northern District of Ohio (Via U.S. Mail)**  
James M. Ashley and Thomas W. L. Ashley U.S. Courthouse  
1716 Spielbusch Avenue  
Toledo, OH 43604

**Clerk, Southern District of Ohio (Via U.S. Mail)**  
Potter Stewart U.S. Courthouse  
100 East Fifth Street, Room 103  
Cincinnati, OH 45202

**Clerk, Southern District of Texas (Via U.S. Mail)**  
Bob Casey United States Courthouse  
515 Rusk Avenue  
Houston, TX 77002

**Clerk, Eastern District of Wisconsin (Via U.S. Mail)**  
United States Federal Building and Courthouse  
517 E. Wisconsin Ave - Room 362  
Milwaukee, WI 53202

**Counsel for Plaintiffs: Cynthia Yeghiaian and Jeff Plaza**  
C.D. California, No. 8:22-cv-01440

Kevin D. Stanley (Via E-mail)  
HUMPHREY, FARRINGTON & McCLAIN, P.C.  
221 West Lexington, Ste. 400  
P.O. Box 900  
Independence, MO 64051  
[kds@hfmlegal.com](mailto:kds@hfmlegal.com)

**Counsel for Plaintiff: Heather Jones**  
District of Colorado, No. 1:22-cv-02123

Brad R. Sohn (Via E-mail)  
The Brad Sohn Law Firm, PLLC  
2990 Ponce De Leon Boulevard  
Suite 300  
Coral Gables, Florida 33134  
[brad@bradsohnlaw.com](mailto:brad@bradsohnlaw.com)

Kenneth B. McClain (Via E-mail)  
Jonathan M. Soper  
Kevin D. Stanley  
Chelsea M. Pierce

HUMPHREY, FARRINGTON & McCLAIN  
221 West Lexington, Ste. 400  
P.O. Box 900  
Independence, MO 64051  
[kbm@hfmlegal.com](mailto:kbm@hfmlegal.com)  
[jms@hfmlegal.com](mailto:jms@hfmlegal.com)  
[kds@hfmlegal.com](mailto:kds@hfmlegal.com)  
[cmp@hfmlegal.com](mailto:cmp@hfmlegal.com)

**Counsel for Plaintiffs: Joanna K. Pue and Shannon Kozmic**  
M.D. Florida, No. 6:22-cv-01440

Jay M. Smith (Via U.S. Mail)  
SMITH AND MCELWAIN  
505 - 5th Street, Suite 530  
P.O. Box 1194  
Sioux City, Iowa 51102

Kenneth B. McClain (Via E-mail)  
Jonathan M. Soper  
Kevin D. Stanley  
Chelsea M. Pierce  
HUMPHREY, FARRINGTON & McCLAIN



221 West Lexington, Ste. 400  
P.O. Box 900  
Independence, MO 64051  
[kbm@hfmlegal.com](mailto:kbm@hfmlegal.com)  
[jms@hfmlegal.com](mailto:jms@hfmlegal.com)  
[kds@hfmlegal.com](mailto:kds@hfmlegal.com)  
[cmp@hfmlegal.com](mailto:cmp@hfmlegal.com)

**Counsel for Plaintiffs: Ann Brady and Leah Price**  
S.D. Iowa, No. 4:22-cv-00252

Toby P. Mulholland (Via E-mail)  
RUBENS KRESS & MULHOLLAND  
77 W. Washington, Suite 701  
Chicago, Illinois 60602  
[tpm@rkminjurylaw.com](mailto:tpm@rkminjurylaw.com)

Kenneth B. McClain (Via E-mail)  
Jonathan M. Soper  
Kevin D. Stanley  
Chelsea M. Pierce  
HUMPHREY, FARRINGTON & McCLAIN  
221 West Lexington, Ste. 400  
P.O. Box 900  
Independence, MO 64051  
[kbm@hfmlegal.com](mailto:kbm@hfmlegal.com)  
[jms@hfmlegal.com](mailto:jms@hfmlegal.com)  
[kds@hfmlegal.com](mailto:kds@hfmlegal.com)  
[cmp@hfmlegal.com](mailto:cmp@hfmlegal.com)

**Counsel for Plaintiffs: Erica Loburgio, Anthony Loburgio, Michael Flannagan**  
S.D. Iowa, No. 1:22-cv-04071

Paul D. Anderson (Via E-mail)  
Kenneth B. McClain  
  
Jonathan M. Soper  
  
Kevin D. Stanley  
  
HUMPHREY, FARRINGTON & MCCLAIN, P.C.  
  
221 West Lexington Ave., Ste. 400  
  
Independence, MO 64051  
[pda@hfmlegal.com](mailto:pda@hfmlegal.com)  
[kbm@hfmlegal.com](mailto:kbm@hfmlegal.com)

[jms@hfmlegal.com](mailto:jms@hfmlegal.com)  
[kds@hfmlegal.com](mailto:kds@hfmlegal.com)

**Counsel for Plaintiffs: Charles W. Simmons, Dale Denney, Charles Cole**

District of Kansas, No. 2:22-cv-02288

**David A. Futscher (Via U.S. Mail) Futscher Law, PLLC**

913 N. Oak Drive  
Villa Hills, KY 41017

Kenneth B. McClain (Via E-mail)  
Jonathan M. Soper  
Kevin D. Stanley  
Chelsea M. Pierce

HUMPHREY, FARRINGTON & McCLAIN  
221 West Lexington, Ste. 400  
P.O. Box 900  
Independence, MO 64051  
[kbm@hfmlegal.com](mailto:kbm@hfmlegal.com)  
[jms@hfmlegal.com](mailto:jms@hfmlegal.com)  
[kds@hfmlegal.com](mailto:kds@hfmlegal.com)  
[cmp@hfmlegal.com](mailto:cmp@hfmlegal.com)

**Counsel for Plaintiff: Rita Day**

E.D. Kentucky, No. 5:22-cv-00202 and

**Counsel for Plaintiffs Miriam Fruhling, Roger Mason, Jade Burke**

S.D. Ohio, No. 1:22-cv-451

Kenneth B. McClain (Via E-mail)  
Paul D. Anderson  
Chelsea M. Pierce  
Jonathan M. Soper  
HUMPHREY, FARRINGTON & McCLAIN  
221 W. Lexington, Suite 400  
Independence, Missouri 64050  
[kbm@hfmlegal.com](mailto:kbm@hfmlegal.com)  
[pda@hfmlegal.com](mailto:pda@hfmlegal.com)  
[cmp@hfmlegal.com](mailto:cmp@hfmlegal.com)  
[jms@hfmlegal.com](mailto:jms@hfmlegal.com)

**Counsel for Plaintiffs: Brian Bendorf, Sara Bendorf**

W.D. Missouri, No. 4:22-cv-00465

Matthew L. Dameron (Via E-mail)  
WILLIAMS DIRKS DAMERON LLC  
1100 Main Street, Suite 2600  
Kansas City, Missouri 64105  
[matt@williamsdirks.com](mailto:matt@williamsdirks.com)

**Counsel for Plaintiff: Cobi Bissell**  
W.D. Missouri, No. 4:22-cv-00548

Andrew K. Smith (Via E-mail)  
HUMPHREY, FARRINGTON & McCLAIN  
221 W. Lexington, Suite 400  
P.O. Box 900  
Independence, Missouri 64051  
[aks@hfmlegal.com](mailto:aks@hfmlegal.com)

**Counsel for Plaintiff: Amber Hall**  
District of Nebraska, No. 4:22-cv-03155

Joshua B. Katz (Via E-mail)  
KENT, BEATTY & GORDON, LLP  
Eleven Times Square  
New York, New York 10036  
[jbk@kbg-law.com](mailto:jbk@kbg-law.com)

Kenneth B. McClain (Via E-mail)  
Jonathan M. Soper  
Kevin D. Stanley  
Chelsea M.  
Pierce  
HUMPHREY, FARRINGTON & McCLAIN  
221 West Lexington, Ste. 400  
P.O. Box 900  
Independence, MO 64051  
[kbm@hfmlegal.com](mailto:kbm@hfmlegal.com)  
[jms@hfmlegal.com](mailto:jms@hfmlegal.com)  
[kds@hfmlegal.com](mailto:kds@hfmlegal.com)  
[cmp@hfmlegal.com](mailto:cmp@hfmlegal.com)

**Counsel for Plaintiff: Stacie Moon**  
S.D. New York, No. 1:22-cv-7433

Kenneth C. Baker (Via E-mail)  
Victoria Lui  
BAKER & PATTERSON LLP  
3100 Richmond Avenue, Suite 550

Houston, Texas 77098  
[kbaker@bakpatlaw.com](mailto:kbaker@bakpatlaw.com)  
[vlui@bakpatlaw.com](mailto:vlui@bakpatlaw.com)

Kenneth B. McClain (Via E-mail)  
Jonathan M. Soper Kevin  
D. Stanley Chelsea M.  
Pierce Andrew K. Smith  
Humphrey, Farrington & McClain, P.C.  
221 West Lexington Ave., Ste. 400  
Independence, MO 64051  
[kbm@hfmlegal.com](mailto:kbm@hfmlegal.com)  
[jms@hfmlegal.com](mailto:jms@hfmlegal.com)  
[kds@hfmlegal.com](mailto:kds@hfmlegal.com)  
[cmp@hfmlegal.com](mailto:cmp@hfmlegal.com)  
[aks@hfmlegal.com](mailto:aks@hfmlegal.com)

**Counsel for Plaintiffs: Jon Bodie, Albert Lui**  
S.D. Texas, No. 4:22-cv-02603

James B. Barton (Via E-mail)  
Joshua S. Greenberg  
BARTON LEGAL S.C.  
313 North Plankinton Ave., Ste. 207  
Milwaukee, WI 53203  
[jbb@bartonlegalsc.com](mailto:jbb@bartonlegalsc.com)  
[jsg@bartonlegalsc.com](mailto:jsg@bartonlegalsc.com)

**Counsel for Plaintiffs: Stephanie Marvin, Katherine Wargin, Chaid Przybelski, Chad Just,**  
Amy Flasch, Lydia Davis E.D. Wisconsin, No. 2:21-cv-01146

**Defendants:**

KIA America, Inc.  
c/o Statutory Agent CT CORPORATION SYSTEM  
4400 EASTON COMMONS WAY  
SUITE 125  
COLUMBUS OH 43219

Hyundai Motor America  
C/O Statutory Agent Corporation Service Company  
3366 RIVERSIDE DRIVE, SUITE 103  
UPPER ARLINGTON OH 43221

Kia Corporation

c/o Noi-Myung Kim  
231231, Yangjae-Dong, Seocho-Ku,  
Seoul 137-928  
Republic of Korea.  
Hyundai Motor Co  
c/o José Muñoz  
12 Heolleung-ro Seocho-gu,  
Seoul, 06797, Republic of Korea.

/s/ Melissa Payne  
Melissa Payne